UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF TENNESSEE

| FROST & CO., LLC, |) |
|--------------------------------------|---------------------------|
| |) |
| Plaintiff, |) |
| |) Case No. 3:10-cv-00064 |
| v. |) JURY DEMAND |
| |) |
| PODS ENTERPRISES, INC., as |) JUDGE WISEMAN |
| successor in interest to PODS, INC., |) |
| |) MAGISTRATE JUDGE BRYANT |
| Defendant. |) |

NOTICE OF STIPULATION OF DISMISSAL

Pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, Plaintiff Frost & Co., LLC hereby gives notice of the dismissal of this action against Defendant PODS Enterprises, Inc. as successor in interest to PODS, Inc. The dismissal of this action is with prejudice.

Respectfully submitted,

s/ Seth M. McInteer

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Attorneys for Plaintiff